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EXAMINER

TEAM-EXAM SIX

E6M1/0322

ART UNIT

PAPER NUMBER

JAMES J DALEY  
ROBIN BLECKER DALEY & DRISCOLL  
330 MADISON AVENUE  
NEW YORK NY 10017

2613

DATE MAILED:

03/22/96

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined  Responsive to communication filed on 5/12/95  This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

1.  Notice of References Cited by Examiner, PTO-892.
2.  Notice of Draftsman's Patent Drawing Review, PTO-948.
3.  Notice of Art Cited by Applicant, PTO-1449.
4.  Notice of Informal Patent Application, PTO-152.
5.  Information on How to Effect Drawing Changes, PTO-1474.
6.

**Part II SUMMARY OF ACTION**

1.  Claims 1 - 37 are pending in the application.

Of the above, claims 9 - 37 are withdrawn from consideration.

2.  Claims \_\_\_\_\_ have been cancelled.

3.  Claims \_\_\_\_\_ are allowed.

4.  Claims 1 - 8, 35 - 37 are rejected.

5.  Claims \_\_\_\_\_ are objected to.

6.  Claims \_\_\_\_\_ are subject to restriction or election requirement.

7.  This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8.  Formal drawings are required in response to this Office action.

9.  The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are  acceptable;  not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10.  The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been  approved by the examiner;  disapproved by the examiner (see explanation).

11.  The proposed drawing correction, filed \_\_\_\_\_, has been  approved;  disapproved (see explanation).

12.  Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has  been received  not been received  been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.

13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14.  Other

**EXAMINER'S ACTION**

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**Part III DETAILED ACTION**

1. This application has been examined by a team of three Examiners as part of a pilot team-examining program within the U.S. Patent Office.
2. Claims 9-34 are withdrawn from further consideration by examiner as stated in the office action paper number 4, dated 7/7/94, as being drawn to a non-elected species. Election was made without traverse in paper number 3. Applicants are required to cancel the non-elected claims 9-34.
3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
4. Applicant's arguments filed 5/12/95 have been fully considered but they are not deemed to be persuasive.

In the remarks, applicant has argued in substance that,

1. Sasaki et al. and Kobayashi et al. do not show that a pickup condition is controlled by using condition information as claimed in claims 1 and 7.
2. Sasaki et al. and Kobayashi et al. do not show a first signal being input by using a second signal indicating the input condition of the first signal as recited in claim 35.

3. Sasaki et al. and Kobayashi et al. do not show pickup being performed by using condition information indicating the condition of the pickup memorized in memory means detachably attached to the device as claimed in newly added claim 37.

In the reply examiner states that, examiner do not agree with the arguments. Sasaki shows (fig. 10, col. 9, lines 1-35), in step ST2, directory of information indicating mode, WB, exposure, shutter etc. (which is condition information, or second information) are written in the directory area of the memory card (second memory). In step ST5, it is detected whether sufficient number if data blocks are present in the second memory, if not, a new memory card is set in step ST8. Program is then starts at step ST2, and in newly inserted card directory data is written in the directory area of the new memory card. Further in step ST7, photographing data stored in buffer memory 316 (first memory) are stored in the memory. Thus the condition information is already present in the first memory, to control signal pickup, and it is not lost in the process of replacing the second memory. Further, Sasaki also shows condition information copied from the second memory 15 (fig. 11) to the first memory 95. Thus the teaching is there to copy condition information from second memory to the first memory. However, this first memory is in reproduction unit, examiner has relied on another prior art of Kobayashi et al. to show that, recording and reproducing circuit for recording and

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reproducing additional information such as an operation characteristic of camera onto or from the optical disk apparatus (second memory).

*Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

6. Claims 1-3, 5-8, 35-37 are rejected under 35 U.S.C. § 103 as being unpatentable over Sasaki et al. U.S. Patent 5,034,804, in view of Kobayashi et al. U.S. Patent 5,274,457.

As to claims 1, 35 and 37, Sasaki shows (fig. 1, 2, 6A, 6B, 9B and 9E; col. 6, line 11 to col. 9, line 35) an imaging apparatus, comprising;

Image pickup means 26 (see col. 4, line 23-25);

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First memory 316 capable of storing an image signal output from the image pickup means and condition information from WB sensor 17 and exposure sensor 19 color separation/gamma/WB circuit 272 representing a condition in which the image signal is picked up by the imaging means (see figs. 6A, 6B; col. 6, line 11 to col. 7, line 59);

Second memory means a memory card 15 capable of storing the image signal outputted from the image pickup means and the condition information. The second memory being detachably attached to the apparatus (see figs. 6A, 6B; col. 7, line 60 to col. 8, line 68);

Control means CPU 241 for controlling the condition information so as to transferred between the first memory and second memory via memory interface circuit 317 (see fig. 10; col. 9, lines 1-35). In step ST2, directory of information indicating mode, WB, exposure, shutter etc. (which is condition information, or second information) are written in the directory area of the memory card (second memory). In step ST5, it is detected whether sufficient number if data blocks are present in the second memory, if not, a new memory card is set in step ST8. Program is then starts at step ST2, and in newly inserted card directory data is written in the directory area of the new memory card. Further in step ST7, photographing data stored in buffer memory 316 (first memory) are stored in the memory. Thus the condition

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information is already present in the first memory, to control signal pickup, and it is not lost in the process of replacing the second memory. Further, Sasaki also shows in fig. 11 and col. 9, line 40 to col. 10, line 35 a reproduction of data by controlling the condition information, with stored image data to be transferred from second memory 15 to the first memory 95, which also stores image signal output from the image pick up means and stored in the second memory. Thus the teaching is there to copy condition information from second memory to the first memory. However, this first memory is in reproduction unit. However, transferring additional information such as an operational characteristics of the camera onto or from the optical disk of a camera, which is a second memory (see abstract; fig. 1; col. 5, lines 12-30, col. 10, lines 18-24), in a similar art of digital electronic still camera having removable record means is shown by Kobayashi. It would have been obvious to one of ordinary skill in the art at the time of the invention, to include the transferring additional information such as an operational characteristics of the camera onto or from the optical disk of a camera, which is a second memory as shown by Kobayashi, in the CPU 241 of Sasaki, so that the conditional information can be copied from the second memory to the first memory, to provide additional freedom of transferring data stored in the memory.

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As to claims 5, and 36 Sasaki further shows a CPU 241 and a signal processing circuit 311 for performing a predetermined processing on the image signal on the basis of the condition information received from WB sensor 17, exposure sensor 19 by CPU 241 and color separation/gamma/WB circuit 272, which are stored in the memory 15 (see fig. 6A, 6B; col. 6, line 11 to col.7, line 45). Kobayashi also shows method of transferring these information from the second memory 15 to the first memory (see Kobayashi, col. 5, lines 21-25).

As to claim 6, Sasaki further shows second memory means stores an image signal outputted from the signal processing means in fig. 9E, where among the stored information, image data, WB data, exposure value, and shutter speed value is stored.

As to claim 7, Sasaki further shows CPU 241 and signal processing circuit 311 as a signal processing means for performing a processing on the image signal on the basis of condition information representing the condition in which the image signal is picked up by the image pick up means, from WB sensor 17 and exposure sensor 19. First and second memory means 316 and 15 being capable of storing condition information. Control means CPU 241 and memory interface 317 for controlling the condition information so as to transferred between first and second memory, control means includes switching means for switching the operation of the control means between a plurality

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of operation mode selected by mode switch 12, Kobayashi shows method of transferring these information from the second memory 15 to the first memory.

As to claims 2,3 and 8, Sasaki further shows that when second memory is attached to the apparatus, control means 241 a CPU and memory interface circuit 317 transfers the condition information from the first memory to second memory as further shown in fig. 10. And while reproducing data as shown in fig. 11 and col. 9, line 40 to col. 10, line 35; luminance data is read out from the memory card 15(second memory) and stored in frame memory 95 (first memory). It is clear that WB data is also read out from the second memory along with luminance data as described, as WB data is also stored in the second memory as shown in fig. 9E. However, Sasaki shows that at the time of reproduction the image data and condition information (clearly including WB data) is transferred from second memory to the first memory, and Sasaki is silent regarding transferring such data when the second memory is detached from the apparatus. Kobayashi, as discussed above regarding claim 1, shows operational characteristics of the camera transferred from or onto the second memory. It would have been obvious to one of ordinary skill in the art at the time of invention in the imaging apparatus, to transfer the condition information data including luminance data

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and WB data from the second memory to the first memory when the second memory is detached from the apparatus, that will save time for the operator of the device to develop new WB and luminance data and use the stored WB data and luminance data already created by the device and stored in the second memory, to be stored back in the first memory when the second memory is detached from the apparatus.

7. Claim 4 is rejected under 35 U.S.C. § 103 as being unpatentable over Sasaki in view of Kobayashi, and Nakane et al. U.S. Patent 5,086,345.

As to claim 4, Sasaki further shows that second memory means includes a memory card 15, which consists of RAM memory, and does not show second memory includes a magnetic disk. Memory means including magnetic disk is well known in the art as shown by Nakane et al. Nakane shows in fig. 1, item 1 a magnetic disk (see col. 3, line 57). It would have been obvious to one of ordinary skill in the art at the time of invention in the imaging apparatus, to include the second memory including a magnetic disk as shown by Nakane in the apparatus of Sasaki, to provide an alternate second memory including magnetic disk.

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8. The examiners responsible for this communication are Bipin Shalwala, Jon Chang, and Larry J. Prikockis.

Any inquiry concerning this communication or earlier communications from the examining team should be directed to the lead examiner, Bipin Shalwala, whose telephone number is (703) 305-4938. The Lead Examiner can normally be reached on Monday through Thursday from 7:30 am to 4:00 pm. The Lead Examiner can also be reached on alternate Fridays.

If attempts to reach the lead examiner by telephone are unsuccessful, Larry J. Prikockis may be reached at (703) 305-4791, and Jon Chang may be reached at (703) 305-8439. The team supervisor, Michael Razavi, may be reached at (703) 305-4713.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-8576. The Group FAX number is (703) 305-9508.

Bipin Shalwala *fm*

Larry J. Prikockis *AP*

Jon Chang *JC*  
March 7, 1996

JOSEPH CHANG, III  
PENT EXAMINER  
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